**BEFORE THE**

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission : R-2016-2531550

Office of Consumer Advocate : C-2016-2566526

Office of Small Business Advocate : C-2016-2567115

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v. :

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Citizens’ Electric Company :

of Lewisburg PA :

:

:

Pennsylvania Public Utility Commission : R-2016-2531551

Office of Consumer Advocate : C-2016-2566522

Office of Small Business Advocate : C-2016-2567132

:

v. :

:

Wellsboro Electric Company :

**PREHEARING CONFERENCE ORDER**

On August 31, 2016, Citizens’ Electric Company of Lewisburg, PA (Citizens’), Utility Code 110050, filed Supplement No. 110 to Tariff Electric – Pa. P.U.C. No. 14, and Wellsboro Electric Company (Wellsboro), Utility Code 111200, filed Supplement No. 102 to Tariff Electric – Pa. P.U.C. No. 8, both tariffs to become effective October 30, 2016, and containing proposed increases in distribution rates and other tariff changes. Citizens’ is seeking an overall revenue increase of $592,000 per year, or 12.8% over present revenues, producing a 7.54% rate of return. Wellsboro is seeking an overall revenue increase of $1,000,000 per year, or 21.3% over present revenues, producing a 7.38% rate of return.

Citizens’ is requesting an increase in distribution base rates due to replacing its aging distribution infrastructure, a $6 million increase for utility plant in service, Electronic Data Interchange (EDI) implementation, an increase in vegetation management efforts, and workforce training.

Wellsboro is requesting an increase in distribution base rates due to replacing its aging distribution infrastructure, an $8 million increase for utility plant in service, ongoing vegetation management, EDI implementation, and large customer facility closures.

Formal complaints were filed on both docket numbers by the Office of Consumer Advocate on September 14, 2016, and by the Office of Small Business Advocate on September 19, 2016.

Pursuant to 66 Pa. C.S. §1308(d), these filings were suspended by Order dated October 6, 2016, until May 30, 2017, unless permitted by Commission Order to become effective at an earlier date. In that Order, the Commission concluded that investigation and analysis of these proposed tariff filings and the supporting data indicate that the proposed changes in rates, rules, and regulations may be unlawful, unjust, unreasonable, and contrary to the public interest. The Commission also ordered that this matter be assigned to the Office of Administrative Law Judge for the prompt scheduling of such hearings as may be necessary in order to issue a Recommended Decision to the Commission, giving consideration to the reasonableness of the Respondents’ existing rates, rules, and regulations.

By Notice dated October 13, 2016, the Office of Administrative Law Judge scheduled an Initial Prehearing Conference for Monday, October 31, 2016 at 10:00 a.m. in Hearing Room 4 of the Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120 before Administrative Law Judges Joel H. Cheskis and Andrew M. Calvelli.

In anticipation of the Initial Prehearing Conference, and in accordance with Section 333 of the Public Utility Code, 66 Pa. C.S. § 333, and Section 5.221-5.224 of the Commission’s regulations, 52 Pa. Code §§ 5.221-5.224, this Prehearing Conference Order is being issued.

ORDER

THEREFORE,

IT IS ORDERED:

1. That an Initial Prehearing Conference shall be held on Monday, October 31, 2016 at 10:00 a.m. in Hearing Room 4 of the Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120 before Administrative Law Judges Joel H. Cheskis and Andrew M. Calvelli.
2. That absent a continuance for good cause, all parties must be prepared to participate in the scheduled prehearing conference. Failure of a party to participate in the conference, after being served with notice of the time thereof, without good case shown, shall constitute a waiver of all objections to the agreements reached and an order or ruling with respect thereto.
3. That all parties shall review the regulations relating to discovery, specifically 52 Pa. Code § 5.331(b), which provides, among other things, that “a party shall initiate discovery as early in the proceedings as reasonably possible,” and 52 Pa. Code § 5.322, which encourages parties to exchange information on an informal basis. All parties are urged to cooperate in discovery. There are limitations on discovery and sanctions for abuse of the discovery process. 52 Pa. Code §§5.361, 5.371 – 5.372.
4. That, if you are a partnership, corporation, trust, association, or governmental agency or subdivision, an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *Pro Hac Vice*, must represent you in this proceeding.
5. That, unless you are an attorney, you may not represent someone else. Attorneys shall enter their appearance in accordance with the provisions of 52 Pa. Code §1.24(b).
6. That you must serve us directly with a copy of any document that you file in this proceeding. If you send us any correspondence or document, you must send a copy to all other parties. For your convenience, a copy of the Commission’s current service list of the parties to this proceeding is enclosed with this Order.
7. That parties shall review the regulations pertaining to prehearing conferences, in particular 52 Pa.Code §5.222(d), which provides that parties and counsel will be expected to attend the conference fully prepared for useful discussion of all problems involved in the proceeding, both procedural and substantive, and fully authorized to make commitments with respect thereto. The preparation should include, among other things, advance study of all relevant materials, and advance informal communication between the participants, including requests for additional data and information, to the extent it appears feasible and desirable.
8. That pursuant to 52 Pa.Code §1.55, each party shall be limited to one entry on the service list. Parties shall provide the name, business address, business telephone number and business e-mail address (if any) of the person they wish to have listed on the service list.
9. That on or before **Monday, October 24, 2016**, the parties shall serve us and each other with a Prehearing Conference Memorandum addressing:

a.) The information described in Paragraph 9, above.

b.) A statement regarding possible settlement of the case, subject to approval of the Pennsylvania Public Utility Commission.

c.) A proposed plan and schedule of discovery.

d.) Other proposed orders with respect to discovery.

e.) A proposed schedule that concludes with a reply brief due date no later than **February 10, 2017**.

f.) Names, business addresses, and telephone numbers of witnesses the party expects to call and the subject matter of each witness’ testimony.

g.) A list of the issues and sub-issues of this proceeding which the party intends to address and a statement of the party’s position on each of the issues and sub-issues listed.

h.) The need for any public input hearings in the service territory.

1. That a request for a change of the scheduled initial prehearing conference date shall state the agreement or opposition of other parties, and shall be submitted in writing no later than five (5) days prior to the initial prehearing conference. 52 Pa. Code §1.15(b). Requests for change must be sent to us with copies to all parties of record. Our address is:

Joel H. Cheskis

Andrew M. Calvelli

Administrative Law Judges

Pennsylvania Public Utility Commission

P.O. Box 3265

Harrisburg, PA 17105-3265

Telephone: (717) 783-5452, (717) 525-5084

Email: jcheskis@pa.gov, acalvelli@pa.gov

Date: October 14, 2016

Joel H. Cheskis

Administrative Law Judge

Andrew M. Calvelli

Administrative Law Judge

**PENNSYLVANIA PUBLIC UTILITY COMMISSION v**

**R-2016-2531550 – CITIZENS ELECTRIC COMPANY OF LEWISBURG PA**

**R-2016-2531551 -WELLSBORO ELECTRIC COMPANY**

PAMELA C POLACEK ESQUIRE

ADEOLU A BAKARE ESQUIRE

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***Accepts e-Service***

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**C-2016-2566526 – Citizens**

**C-2016-2566522 - Wellsboro**

SHARON WEBB ESQUIRE

OFFICE OF SMALL BUSINESS ADVOCATE

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HARRISBURG PA 17101

**C-2016-25677115 – Citizens**

**C-2016-2567132 - Wellsboro**

SCOTT B GRANGER ESQUIRE

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